



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2017

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE T. RAJAW.P. (MD) No. 17544 of 2017andW.M.P. (MD) No. 14072 of 2017

M/s. Sree Vishnu Annamalaiyar Paper Mills Ltd.,
Rep. by its Managing Director,
K.R.A.G. Saravanan,
9/4/52, Valmeegi Street,
Sriram Nagar,
Kottaiyur, Karaikudi Taluk,
Sivagangai District.

... Petitioner

vs.

1. The Chairman,
TANGEDCO,
144, Annasalai, Chennai.

2. The Superintending Engineer,
TANGEDCO,
Sivagangai Electricity Distribution Circle,
Sivagangai District.

3. The Assistant Executive Engineer/Distn/O & M.,
TANGEDCO,
Sivagangai Electricity Distribution Circle,
Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents to grant time till 05.10.2017 for the payment of Rs. 21,50,336/- towards the electricity consumption charges for the month of August, 2017, by M/s. Sree Vishnu Annamalaiyar Paper Mills Ltd., at VEDIYANGUDI Village, PUDUVAYAL (via), Karaikudi Taluk, Sivagangai District and further not to disconnect the same till 05.10.2017, based on the petitioner's representation, dated 13.09.2017.

For Petitioner

: Mr. M. Lingadurai

For Respondents

: Mr. E. P. Venkateshwar
for Mr. S. M. S. Johny Basha

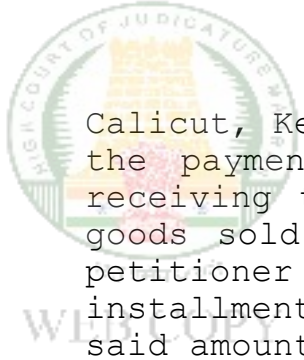
O R D E R

The petitioner is again visited this Court with the same prayer, which he made in his previous Writ Petition in W.P.(MD) No.13207 of 2017, requesting to clear a sum of Rs.21,50,336/- towards the electricity consumption charges for the month of August, 2017, within two equal installments, in any event, on or before 05.10.2017.

2.The learned counsel for the petitioner submitted that due to impact of G.S.T. and the manufactured note book materials were loaded in different lorries and transported to Jeyaram Paper Mart, Calicut, Kerala State, the petitioner was informed that the payment for the same will be made only after 15 days. After receiving the loads from the petitioner, the Jeyaram Paper Mart, Calicut, Kerala, have not paid the amount and sought time for making payment in view of Onam festival and G.S.T. Although the petitioner has taken much efforts to pay the electricity consumption charges for the month of August 2017, they are unable to make the payment within 21.09.2017, only because of the outstanding amount from Kerala customers. If time is given to pay the same within two equal installments, the petitioner will be able to pay the electricity consumption charges on or before 05.10.2017.

3.Objecting to the abovesaid submission, the learned counsel for the respondents submitted that already the petitioner came to this Court on an earlier occasion making similar request for payment of Rs.26,24,964/- towards the electricity consumption charges for the month of June 2017, within two equal monthly installments. This Court, vide order dated 19.07.2017, granted time to the petitioner to pay the aforesaid payment of Rs.26,24,964/- to the respondents within two equal installments. Again, the petitioner has made a similar request to clear a sum of Rs.21,50,336/- towards the electricity consumption charges for the month of August, 2017 and it has become his usual habit now. He further submitted that as and when the petitioner is issued with monthly consumption bills, immediately, he rushed to this Court seeking time to make the payment. If this type of request is allowed, other consumers will come to this Court and there will be a delay in paying the electricity charges by the Mills and other companies.

4.As the petitioner is running a paper mill, employing 200 regular employees on their rolls and apart from the regular employees, there are more than 1000 employees working on daily wage basis, if electricity is disconnected, their bread and butter would be heavily affected and the mill will be put into heavy loss. Secondly, this Court has already granted two monthly installments to the petitioner on 19.07.2017, while disposing W.P.(MD)No.13207 of 2017. The said order has also been complied with. Thirdly, the petitioner is asking for only two weeks time to clear all the amounts on or before 05.10.2017, citing a reason that after receiving the loads from the petitioner, the Jeyaram Paper Mart,



Calicut, Kerala, have not paid the amount and sought time for making the payment in view of Onam festival and G.S.T., as he is not receiving the outstanding amount from the Kerala customers for the goods sold to them, this Court deems it fit to grant time to the petitioner till 05.10.2017 to clear all the amounts by way of two installments. Hence, the petitioner is directed to pay 50% of the said amount on or before 21.09.2017 and pay the remaining 50% of the amount on or before 05.10.2017. It is needless to mention that if the petitioner commits any default in making the installments, the respondents can proceed against the petitioner in accordance with law.

With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RECORD)

/True Copy/

Sub Assistant Registrar

To

- 1.The Chairman,
TANGEDCO,
144, Annasalai, Chennai.
- 2.The Superintending Engineer,
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- 3.The Assistant Executive Engineer/Distn/O & M.,
TANGEDCO,
Sivagangai Electricity Distribution Circle,
Sivagangai District.

+1cc to Mr.S.M.S.JOHNNEY BASHA Advocate in SR. No. 79400

+1cc to Mr.M.LINGA DURAI Advocate in SR. No. 79443

SMN2

JS/KP/SAR.2/20.09.2017/3P-6C

W.P. (MD) No.17544 of 2017
18.09.2017